

P24358.P01

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P24358

Total Pages

Inventor(s) or Application Identifier:

Toshihiro NAKAYAMA, Katsuyoshi SUZUKI, and Shintaro NAKAMURA

Title: DOWNLOAD SYSTEM AND DOWNLOADING DEVICE

ADDRESS TO:

Commissioner for Patents
Mail Stop Patent Application
PO Box 1450
Alexandria, VA 22313-1450

U.S. PTO
10/728823
22388
120863

APPLICATION ELEMENTS

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
 - a. Small Entity Statement(s)
3. Specification [Total Pages 43]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 USC 113) [Total Sheets 8]
5. Oath or Declaration [Total Pages 4]
 - a. Newly executed (original or copy) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 20 completed)
[Note Box 6 below]
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Incorporation By Reference (useable if Box 5b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. Application Data Sheet. See 37 CFR 1.76
8. CD-Rom or CD-R in duplicate, large table or Computer Program (*Appendix*)

ACCOMPANYING APPLICATION PARTS

9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies
10. Assignment Papers (cover sheet & document(s))
11. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
12. English Translation Document (if applicable)
13. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
14. Preliminary Amendment
15. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. Figure of Drawing to be published: 1
17. Foreign priority claimed
 - a. Claim of Priority
 - b. Certified Copy of Priority Document(s)
18. Nonpublication Request under 35 U.S.C. 122 (b) (2) (B) (i).
Applicant must attach form PTO/SB/35 or its equivalent.
19. Assignee: PENTAX Corporation, of Tokyo, Japan
20. Other: Cover Letter Regarding Executed Application

21. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 C.F.R. 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior Application No. /, filed _____.
Prior application information: Examiner: _____ Signature: _____ Group Art Unit: _____

Address all future correspondence to Customer No. 7055 at the present address of:

GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Date

12/8/03


Bruce H. Bernstein, Reg. No. 29,027
Typed or Printed Name

33,329

P24358.P02
13281
U.S. PTO

FEE TRANSMITTAL

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Concurrently Herewith
First Named Inventor	Toshihiro NAKAYAMA et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned

TOTAL AMOUNT OF PAYMENT	(\$) 1,154.00	Attorney Docket Number	P24358
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METHOD OF PAYMENT (check one)

1. The U.S Patent and Trademark Office is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0089

Deposit Account Name GREENBLUM & BERNSTEIN, P.L.C.

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)) Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) Applicant Claims Small Entity Status See 37 CFR 1.27.

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION (fees effective 10/01/03)

1. FILING FEE

Large Entity Fee Code (\$)	Entity Fee	Small Entity Fee Code (\$)	Entity Fee	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	<u>770.00</u>
1002	340	2002	170	Design filing fee	<u></u>
1003	530	2003	265	Plant filing fee	<u></u>
1004	770	2004	385	Reissue filing fee	<u></u>
1005	160	2005	80	Provisional filing fee	<u></u>

SUBTOTAL (1) (\$)770.00

2. CLAIMS

Total Claims	-20=	Extra	Fee from below	Fee Paid
18	-20=	0	x <u>18</u>	<u>0.00</u>
Independent 7	-3=	4	x <u>86</u>	<u>344.00</u>
Claims				
Multiple Dependent Claims		0	x <u>290</u>	<u>0.00</u>

Large Entity Fee Code (\$)	Entity Fee	Small Entity Fee Code (\$)	Entity Fee	Fee Description
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1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim
1204	86	2204	43	Reissue independent claims over original patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)344.00

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Entity Fee	Small Entity Fee Code (\$)	Entity Fee	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	<u></u>
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	<u></u>
1053	130	1053	130	Non-English specification	<u></u>
1812	2,520	1812	2,520	For filing a request for reexamination	<u></u>
1804	920*	1804	920*	Requesting publication of SIR	<u></u>
1805	1,840*	1805	1,840*	Prior to Examiner action	<u></u>
1251	110	2251	55	Requesting publication of SIR after Examiner action	<u></u>
1252	420	2252	210	Extension for response within 1st month	<u></u>
1253	950	2253	475	Extension for response within 2nd month	<u></u>
1254	1,480	2254	740	Extension for response within 3rd month	<u></u>
1255	2,010	2255	1,005	Extension for response within 4th month	<u></u>
1401	330	2401	165	Extension for response within 5th month	<u></u>
1402	330	2402	165	Notice of Appeal	<u></u>
1403	290	2403	145	Filing a brief in support of an appeal	<u></u>
1451	1,510	1451	1,510	Request for oral hearing	<u></u>
1452	110	2452	55	Petition to institute a public use proceeding	<u></u>
1453	1,330	2453	665	Petition to revive unavoidably abandoned application	<u></u>
1501	1,330	2501	665	Petition to revive unintentionally abandoned application	<u></u>
1502	480	2502	240	Utility issue fee (or reissue)	<u></u>
1503	640	2503	320	Design issue fee	<u></u>
1460	130	1460	130	Plant issue fee	<u></u>
1807	50	1807	50	Petitions to the Commissioner	<u></u>
1806	180	1806	180	Petitions related to provisional applications	<u></u>
8021	40	8021	40	Submission of IDS	<u></u>
1809	770	2809	385	Recording each patent assignment per property (times number of properties)	<u>40.00</u>
1810	770	2810	385	Filing a submission after final rejection (37 CFR 1.129(a))	<u></u>
1801	770	2801	385	For each additional invention to be examined (37 CFR 1.129(b))	<u></u>
1802	900	1802	900	Request for Continued Examination (RCE)	<u></u>
				Request for expedited examination of a design application	<u></u>

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) (\$) 40.00

*Reduced by Basic Filing Fee paid

SUBMITTED BY

Typed or Printed Name	Bruce H. Bernstein	Reg. Number	29,027
Signature	<i>Bruce H. Bernstein</i>	Date	12/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Toshihiro NAKAYAMA et al.

Applications Branch

Appln. No. : Not yet assigned

Filed : Concurrently herewith

For : DOWNLOAD SYSTEM AND DOWNLOADING DEVICE

COVER LETTER REGARDING EXECUTED APPLICATION

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The undersigned points out that the executed application being filed herewith includes pages 1 - 4 of the executed declaration which were forwarded to the undersigned by facsimile by Applicants' Japanese representative on December 5, 2003, and pages 1 - 43 of the specification (with Figures 1 - 8) which were earlier forwarded to the undersigned by Applicants' Japanese representative on December 2, 2003. Further, the undersigned has been advised by the Japanese representative that the inventors had reviewed the application before executing the declaration.

Accordingly, Applicants respectfully submit that the present application is properly executed and should be considered as filed in executed form. However, if the U.S. Patent and Trademark Office determines that the present application is not properly executed,

P24358.A01

Applicants respectfully request that the present application be treated as an unexecuted application under 37 C.F.R. 1.53(f).

Should there be any questions regarding this paper, please contact the undersigned at the below listed number.

Respectfully submitted,
Toshihiro NAKAYAMA et al.


Bruce H. Bernstein
Reg. No. 29,027

Reg. No. 33,329

December 8, 2003
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